

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KING DRUG COMPANY OF FLORENCE, INC., <i>et al.</i> , <i>Plaintiffs</i> ,  v.  CEPHALON, INC., <i>et al.</i> , <i>Defendants</i> .	No. 2:06-cv-1797
APOTEX, INC., <i>Plaintiff</i> ,  v.  CEPHALON, INC., <i>et al.</i> , <i>Defendants</i> .	No. 2:06-cv-2768

**PLAINTIFFS' UNOPPOSED MOTION FOR  
ENTRY OF ORDER REGARDING TRIAL SUBPOENAS**

As discussed with the Court during the December 22, 2015 telephonic status conference, Plaintiffs respectfully move for entry of the proposed Order attached to this motion, which provides that trial subpoenas served by any party shall be deemed to have been served on behalf of all parties<sup>1</sup> and shall remain in force until the witness is released by all parties. Such an order is well within the Court's "broad discretion" to manage the presentation of evidence at trial. *Gannon v. United States*, 292 Fed. Appx. 170, 174 (3d Cir. 2008); *see* Fed. R. Evid. 611(a)(1) (trial court should control the presentation of evidence so as to ascertain the truth); Fed. R. Civ. P. 83(b) (trial court may regulate civil procedure in any manner consistent with federal law).

Plaintiffs have conferred with Defendants and are authorized to state that Defendants do not oppose entry of the proposed Order.

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<sup>1</sup> Defendants requested that the proposed Order be worded so that trial subpoenas would be deemed to have been served by all parties rather than "all plaintiffs" or "all defendants," and Plaintiffs agreed.

Respectfully submitted,

/s/ Brian J. Sodikoff

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